

Administrative Regulation — Student Affairs (*Formerly GR XI*)

A. Student-University Relationships

The non-academic relationships between University students and the University are articulated in *Administrative Regulation 4:10, Code of Student Conduct*.

The academic relationships between University students and the University are set out in *Administrative Regulation – Academic and Student Affairs*.

B. The University Appeals Board — Jurisdiction

There shall be a University Appeals Board (hereinafter UAB) with specific jurisdiction over student matters. The UAB shall be assigned either original or appellate jurisdiction over various students, as established by this *Administrative Regulation*, as follows:

1. Disciplinary Offenses

In cases of disciplinary offenses where the student is sanctioned with social suspension, disciplinary suspension or expulsion, the UAB shall have appellate jurisdiction.

2. Academic Offenses

- (a) In cases of academic offenses where the student contests guilt, the UAB shall have original jurisdiction.
- (b) In cases of academic offenses where the only issue is the severity of the sanction, the UAB shall have appellate jurisdiction.

3. Violation of Student Rights

- (a) In cases where a student claims a violation of student rights (outlined in the *Code of Student Conduct*), the UAB shall hear any case referred to it by the Dean of Students and may grant the written appeal of any student to hear a case not referred to it by the Dean of Students.
- (b) Registered student organizations that receive the majority of their regular operating budgets from allocations of student fee monies and/or University allocation shall have a hearing process which shall include final appeal to the UAB.
- (c) The UAB shall have jurisdiction over final decisions of University hearing agencies in which a student alleges a violation of student rights. In a case

involving a student election in which a candidate alleges that his or her student rights were violated, the UAB may affirm the decision of the Student Government Association appellate body, refer the matter back to the Student Government appellate body to correct the error identified by the UAB, or affirm or void the election. The jurisdiction of the UAB does not extend to the selection of the President of the Student Government Association.

4. Violation of Academic Rights

In cases where a student claims a violation of academic rights outlined in *Administrative Regulation – Academic and Student Affairs*, the UAB shall have original jurisdiction.

5. College Honor Code Offenses

The UAB shall hold appellate jurisdiction over the decisions of college honor councils or committees, except that if the hearing panel, by majority of those present, decides the student's rights have been substantially violated, the hearing panel has original jurisdiction on the issue of guilt.

6. Cases of Temporary Sanctions

When the Vice President for Student Success imposes temporary sanctions on a student, the UAB shall have appellate jurisdiction.

C. Composition of the University Appeals Board

1. The UAB shall consist of 30 members: 18 faculty members and 12 full-time students. A Hearing Officer shall be the Chair.
2. A hearing panel of the UAB shall consist of nine (9) members: at least five (5) shall be faculty members, and at least one (1) shall be a student. A Hearing Officer shall be the chair.
3. A quorum of the hearing panel for the conduct of business will be nine (9), including the Hearing Officer: at least five (5) faculty members (exclusive of the Hearing Officer) and at least one (1) student.

D. Appointments to the University Appeals Board

1. The Hearing Officer

The Hearing Officer shall be the Chair of the hearing panel and shall be a person with training in the law appointed by the President of the University for a three-

year term, subject to reappointment. The term shall begin on September 1 and end August 31. The Hearing Officer shall convene and preside at all meetings of the hearing panel, but does not vote as a member of the Board or have the authority to cast a tie breaking vote. All questions of the law, either substantive or procedural, and all procedural questions shall be addressed to and ruled upon by the Hearing Officer. The Hearing Officer shall have the authority to exclude any hearing panel member that the Hearing Officer determines has a conflict of interest or the appearance of a conflict of interest with a case. If the Hearing Officer cannot serve when needed, the President or, in the President's absence, the Provost shall appoint a temporary substitute.

2. The Student Members

- (a) The student membership of the UAB shall be appointed to one-year terms, subject to reappointment. Their terms shall begin September 1 and end August 31.
- (b) The student membership shall consist of four (4) graduate or professional students and eight (8) undergraduate students. The undergraduates must be full-time students and either sophomores, juniors or seniors in good standing. The graduate or professional student must be a full-time student, have been in residence at least one year and be in good standing.
- (c) The President shall appoint student members to the UAB from the recommendations submitted by the Student Government Association and the college deans. Six (6) student members shall be appointed from those names submitted by the Student Government Association and six (6) members from those names submitted by the college deans, totaling 12 student members.

3. The Faculty Members

Faculty members of the UAB shall be appointed to staggered three-year terms by the President of the University. All terms shall begin on September 1 and end on August 31. To minimize the possibility of a conflict of interest, faculty members with primary administrative appointments (more than 50% of their assignment allotted to administration) shall not be appointed to the UAB.

4. Temporary Appointments

- (a) If a sufficient number of the members of the UAB are not present or have been determined by the Hearing Officer to have a conflict of interest or the appearance of a conflict of interest at any time when that Board has duties to perform, the President of the University or, in the President's absence, the Provost, shall make such temporary appointments as are necessary to ensure that the required number of members are present. Such temporary appointments need not be preceded by the recommendations otherwise

provided herein. However, in no case shall a faculty member replace a student member or a student member replace a faculty member.

- (b) If, at any time, in the judgment of the Hearing Officer, there are sufficient cases pending before UAB that it is unlikely that the pending cases can be processed within the time prescribed, the Hearing Officer shall notify the President of that fact. The President may, in accordance with this *Administrative Regulation*, activate additional boards and appoint a Hearing Officer for each such additional board, or appoint additional boards and hearing officers for designated cases and time periods.
- (c) The authority, jurisdiction and range of possible actions of, and the guaranteed rights of an accused person before any special board or panel appointed or activated under the terms of (a) or (b) above shall be the same as those applicable to the regularly constituted board or panel.

E. Procedures of the University Appeals Board

Additional procedures of the UAB shall be those prescribed by the *Administrative Regulation – Academic and Student Affairs* for academic cases, the *Code of Student Conduct* for non-academic cases or by the UAB to effectuate the orderly conduct of its functions.

F. Disposition of Cases — Authority

The University Appeals Board has authority to decide appeals of both academic and non-academic cases. With respect to the UAB's resolution of academic cases arising under either its original or appellate jurisdiction, the UAB operates within the *Administrative Regulation – Academic and Student Affairs* that define academic offenses, create a range of sanctions to be imposed upon a finding of guilt and establish the standard of proof, subject only to the limitations imposed by the Constitutions and statutes. With respect to non-academic cases, the range of sanctions and standard of proof are set out in the *Code of Student Conduct*, subject only to the limitations imposed by the Constitutions and statutes. The decisions of the UAB are final.

For questions, contact: [Office of Legal Counsel](#)